

Senate File 470 - Introduced

SENATE FILE 470
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1109)

(COMPANION TO LSB 1220HV BY
COMMITTEE ON EDUCATION)

A BILL FOR

- 1 An Act relating to the duties and operations of the state's
- 2 community colleges.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8A.318, subsection 3, paragraph c, Code
2 2011, is amended to read as follows:

3 c. A school district, community college, or institution
4 under the control of the state board of regents may, based upon
5 the evaluation and assessment conducted pursuant to paragraph
6 "b", opt out of compliance with the requirements of this section
7 upon the affirmative vote of a majority of the members of the
8 board of directors of the school district or a determination by
9 the president of the community college or by the president or
10 administrative officer of the regents institution. A school
11 district, community college, or regents institution opting
12 out of compliance pursuant to this paragraph shall notify the
13 department of education, the state board ~~for community colleges~~
14 of education, or the state board of regents, ~~respectively as~~
15 appropriate, of this decision.

16 Sec. 2. Section 16.162, Code 2011, is amended to read as
17 follows:

18 **16.162 Authority to issue community college dormitory bonds**
19 **and notes.**

20 The authority shall assist a community college or the state
21 board ~~for community colleges~~ of education as provided in
22 chapter 260C, and the authority shall have all of the powers
23 delegated to it in a chapter 28E agreement by a community
24 college board of directors, the state board ~~for community~~
25 ~~colleges~~ of education, or a private developer contracting with
26 a community college to develop a housing facility, such as
27 a dormitory, for the community college, with respect to the
28 issuance or securing of bonds or notes as provided in sections
29 260C.71 and 260C.72.

30 Sec. 3. Section 22.7, subsection 1, Code 2011, is amended
31 to read as follows:

32 1. Personal information in records regarding a student,
33 prospective student, or former student maintained, created,
34 collected or assembled by or for a school corporation or
35 educational institution maintaining such records. This

1 subsection shall not be construed to prohibit a postsecondary
2 education institution from disclosing to a parent or guardian
3 information regarding a violation of a federal, state, or
4 local law, or institutional rule or policy governing the use
5 or possession of alcohol or a controlled substance if the
6 child is under the age of twenty-one years and the institution
7 determines that the student committed a disciplinary violation
8 with respect to the use or possession of alcohol or a
9 controlled substance regardless of whether that information is
10 contained in the student's education records. This subsection
11 shall not be construed to prohibit a school corporation or
12 educational institution from transferring student records
13 electronically to the department of education, an accredited
14 nonpublic school, an attendance center, a school district, or
15 an accredited postsecondary institution in accordance with
16 section 256.9, subsection 47.

17 Sec. 4. Section 256.7, subsection 14, Code 2011, is amended
18 to read as follows:

19 ~~14. Adopt rules which require~~ Require each community
20 college which establishes a new jobs training project or
21 projects and receives funds derived from or associated with
22 the project or projects to establish a separate account to act
23 as a repository for any funds received ~~and to report annually,~~
24 ~~by January 15, to the general assembly on funds received and~~
25 ~~disbursed during the preceding fiscal year in the form required~~
26 ~~by the department.~~

27 Sec. 5. Section 256.7, subsection 23, Code 2011, is amended
28 to read as follows:

29 23. Adopt rules directing the community colleges to
30 annually and uniformly submit data from the most recent fiscal
31 year to the division of community colleges and workforce
32 preparation, using criteria determined and prescribed by the
33 division via the management information system.

34 a. Financial data submitted to the division by a community
35 college shall be broken down by fund.

1 b. Community colleges shall provide data to the division
 2 by a deadline set by the division. The deadline shall be set
 3 for a date that permits the division to include the data in
 4 a report submitted for state board approval and for review
 5 by December 15 of each year by the house and senate standing
 6 education committees and the joint subcommittee on education
 7 appropriations.

8 c. The department shall include a statewide summary of the
 9 financial data submitted in accordance with paragraph "a" in
 10 the annual condition of community colleges report, which upon
 11 approval of the state board, shall be submitted to the general
 12 assembly on or before February 1 of each year.

13 Sec. 6. Section 256.31, subsection 4, Code 2011, is amended
 14 by striking the subsection.

15 Sec. 7. Section 259A.3, Code 2011, is amended to read as
 16 follows:

17 **259A.3 Notice and fee.**

18 Any applicant who has achieved the minimum passing standards
 19 as established by the department, and approved by the state
 20 board, shall be issued a high school equivalency diploma by the
 21 department upon payment of an additional ~~five dollars~~ amount
 22 determined in rules adopted by the state board of education
 23 to cover the actual costs of the production and distribution
 24 of the diploma. The state board of education may also by
 25 rule establish a fee for the issuance or verification of a
 26 transcript which shall be based on the actual costs of the
 27 production or verification of a transcript.

28 Sec. 8. Section 260C.4, unnumbered paragraph 1, Code 2011,
 29 is amended to read as follows:

30 The state board ~~for community colleges~~ shall:

31 Sec. 9. Section 260C.48, subsection 2, Code 2011, is amended
 32 to read as follows:

33 2. Standards developed shall include a provision that
 34 the ~~standard academic workload~~ full-time teaching load
 35 for an instructor in arts and ~~science~~ sciences courses

1 shall be fifteen credit hours per ~~school-term~~ semester, or
 2 the equivalent, and the maximum academic workload ~~for any~~
 3 ~~instructor~~ shall be sixteen credit hours per ~~school-term~~,
 4 ~~for classes taught during the normal school day~~ semester, or
 5 the equivalent. ~~In addition thereto, any faculty member may~~
 6 ~~teach a course or courses at times other than the regular~~
 7 ~~school week, involving total class instruction time equivalent~~
 8 ~~to not more than a three-credit-hour course. The total~~
 9 ~~workload for such instructors shall not exceed the equivalent~~
 10 ~~of eighteen credit hours per school term. An instructor may~~
 11 also have an additional teaching assignment if the instructor
 12 and the community college administration mutually consent to
 13 the additional assignment and the total teaching load does
 14 not exceed twenty-two hours of credit per semester, or the
 15 equivalent.

16 Sec. 10. Section 260C.71, subsection 2, Code 2011, is
 17 amended to read as follows:

18 2. The authority shall cooperate with the state board ~~for~~
 19 ~~community colleges~~, individual community colleges, and private
 20 developers, acting in conjunction with a community college
 21 to build housing facilities in connection with the community
 22 college, in the creation, administration, and funding of a
 23 community college dormitory bond program to finance housing
 24 facilities, such as dormitories, in connection with a community
 25 college.

26 Sec. 11. Section 260C.72, subsection 1, paragraph a,
 27 subparagraphs (2), (3), (4), and (6), Code 2011, are amended
 28 to read as follows:

29 (2) From the net rents, profits, and income which has
 30 not been pledged for other purposes arising from any similar
 31 housing facility under the control and management of the
 32 community college or state board ~~for community colleges~~.

33 (3) From the fees or charges established by the community
 34 college or state board ~~for community colleges~~ for students
 35 attending the institution who are living in the housing

1 facility for which the obligation was incurred.

2 (4) From the income derived from gifts and bequests made to
3 the institutions under the control of the community college or
4 state board ~~for community colleges~~ for such purposes.

5 (6) From the amounts payable to the authority, the community
6 college board of directors, the state board ~~for community~~
7 ~~colleges~~, or a private developer or operator, pursuant to a
8 loan agreement, lease agreement, or sale agreement.

9 Sec. 12. Section 261E.8, subsection 5, Code 2011, is amended
10 by striking the subsection.

11 Sec. 13. Section 262.9, subsection 33, unnumbered paragraph
12 1, Code 2011, is amended to read as follows:

13 In consultation with the state board ~~for community colleges~~
14 ~~established pursuant to section 260C.3 of education~~, establish
15 and enter into a collective statewide articulation agreement
16 with the community colleges established pursuant to chapter
17 260C, which shall provide for the seamless transfer of academic
18 credits from a completed associate of arts or associate of
19 science degree program offered by a community college to a
20 baccalaureate degree program offered by an institution of
21 higher education governed by the board. The board shall also
22 do the following:

23 Sec. 14. Section 266.39C, subsection 2, paragraph a,
24 subparagraph (5), Code 2011, is amended to read as follows:

25 (5) One representative of community colleges, appointed by
26 the state board ~~for community colleges~~ of education.

27 Sec. 15. Section 321J.3, subsection 1, paragraph c, Code
28 2011, is amended to read as follows:

29 c. The court may prescribe the length of time for the
30 evaluation and treatment or it may request that the community
31 college or other approved provider conducting the course
32 for drinking drivers which the person is ordered to attend
33 or the treatment program to which the person is committed
34 immediately report to the court when the person has received
35 maximum benefit from the course for drinking drivers or

1 treatment program or has recovered from the person's addiction,
2 dependency, or tendency to chronically abuse alcohol or drugs.

3 Sec. 16. Section 321J.17, subsection 2, paragraph b, Code
4 2011, is amended to read as follows:

5 b. The court or department may request that the community
6 college or substance abuse treatment providers licensed under
7 chapter 125 or other approved provider conducting the course
8 for drinking drivers that the person is ordered to attend
9 immediately report to the court or department that the person
10 has successfully completed the course for drinking drivers.
11 The court or department may request that the treatment program
12 which the person attends periodically report on the defendant's
13 attendance and participation in the program, as well as the
14 status of treatment or rehabilitation.

15 Sec. 17. Section 321J.22, subsection 1, Code 2011, is
16 amended by adding the following new paragraph:

17 NEW PARAGRAPH. 0a. "*Approved provider*" means a provider of
18 a course for drinking drivers offered outside this state which
19 has been approved by the department of education.

20 Sec. 18. Section 321J.22, subsection 2, Code 2011, is
21 amended by adding the following new paragraph:

22 NEW PARAGRAPH. 0d. The department of education may approve
23 a provider of a course for drinking drivers offered outside
24 this state upon proof to the department's satisfaction that the
25 course is comparable to those offered by community colleges,
26 substance abuse treatment programs licensed under chapter 125,
27 and state correctional facilities as provided in this section.
28 The department shall comply with the requirements of subsection
29 5 regarding such approved providers.

30 Sec. 19. REPEAL. Section 260C.3, Code 2011, is repealed.

31 EXPLANATION

32 This bill makes miscellaneous changes to Code provisions
33 relating to community colleges as follows:

34 CONFIDENTIAL RECORDS. Code section 22.7(1) is amended
35 to establish that the provision does not prohibit a school

1 corporation or educational institution from transferring
2 student records electronically to other school corporations or
3 educational institutions in accordance with the department of
4 education's comprehensive management information system and
5 uniform coding and reporting system.

6 COMMUNITY COLLEGE COUNCIL WORKING GROUP. Code section
7 256.31, which establishes a community college council to assist
8 the state board of education with issues related to community
9 colleges, is amended to eliminate a provision requiring the
10 council to prepare a five-year statewide strategic plan, and to
11 eliminate a working group of stakeholders.

12 HIGH SCHOOL EQUIVALENCY DIPLOMA FEE. Code section 259A.3
13 is amended to replace the \$5 fee the department of education
14 charges for issuance of a high school equivalency diploma with
15 an amount to be determined by the state board of education to
16 cover the costs of producing and distributing the diploma. The
17 bill also permits the state board to establish a fee for the
18 issuance or verification of a transcript based on the actual
19 costs of production or verification of a transcript.

20 STATE BOARD FOR COMMUNITY COLLEGES. Code section 260C.3
21 states that the state board of education constitutes the
22 state board for community colleges. The bill repeals the
23 Code section and amends Code sections 8A.318, 16.162, 260C.4,
24 260C.71, 260C.72, 262.9, and 266.39C to replace references to
25 the state board for community colleges with references to the
26 state board of education.

27 APPROVED COURSES FOR DRINKING DRIVERS. Code sections 321J.3
28 and 321J.17 are amended to include as providers of drinking
29 driver courses supervised and approved by the department of
30 education "other approved providers", which the bill defines
31 in Code section 321J.22 as providers of courses offered
32 out of state. The providers of out-of-state courses must
33 prove to the department's satisfaction that the course is
34 comparable to those offered by community colleges and substance
35 abuse treatment programs. The bill establishes that other

1 approved providers may be requested to meet the same reporting
2 requirements as the community colleges and substance abuse
3 treatment programs.

4 REPORTS. The bill eliminates the requirement from Code
5 section 256.7(14) that each community college which establishes
6 a new jobs training project and receives funds from the project
7 report by January 15 annually to the general assembly on the
8 funds received and disbursed. Code section 256.7(23) is
9 amended to add a requirement that the department of education
10 include in its annual condition of community colleges report a
11 statewide summary of the financial data it receives from the
12 community colleges and to submit the report to the general
13 assembly on or before February 1.

14 TEACHING LOAD LIMITS. Code section 260C.48 is amended
15 to provide that the full-time teaching load, rather than the
16 standard academic workload, for arts and sciences instructors
17 is 15 credit hours, with a maximum academic workload of 16
18 credit hours. Also, the bill strikes language that permits
19 a faculty member to teach a course at times other than the
20 regular school week for not more than a three-credit-hour
21 course, not to exceed 18 credit hours, and replaces it
22 with language that instead permits an instructor to have an
23 additional teaching assignment provided that (1) both the
24 community college and the instructor mutually consent to the
25 additional assignment and (2) the total teaching load does not
26 exceed 22 credit hours.

27 TRANSPORTATION OF A STUDENT UNDER A DISTRICT-TO-COMMUNITY
28 COLLEGE SHARING OR CONCURRENT ENROLLMENT PROGRAM. Code
29 section 261E.8(5), which requires the parent or legal guardian
30 of a student who is attending a community college under a
31 district-to-community college sharing or concurrent enrollment
32 program to furnish transportation to and from the community
33 college for the student, is stricken.